

Notice of Allowability

Application No.

09/730,988

Examiner

Sam Rimell

Applicant(s)

MENDE, ROBERT G.

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/25/05.
2. ☒ The allowed claim(s) is/are 1-15 and 17-20.
3. ☒ The drawings filed on 05 December 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

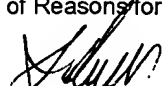
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 6/23/03
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Sam Rimell
Primary Examiner
Art Unit: 2165

Reasons for Allowance

Claims 1-15 and 17-20 are indicated as being allowable. Claims 1, 7, 15 and 18 are independent. Claims 2-6, 8- 14, 17, 19 and 20 are dependent.

The closest identified prior art is U.S. Patent 6,240,414 to Beizer et al., published May 29, 2001 and filed August 19, 1998.

Claim 1: Claim 1 recites a computer implemented data consistency maintenance method which includes the steps of attempting to acquire a genlock on a mirror page during a write access request operation, updating data on the mirror page, synching the mirror page to a backing store, preventing read and write operations of other processes from accessing the mirror page and a primary page while locked, unlocking the genlock, re-synching the mirror page and primary page. This set of steps are not taught by Beizer et al.

Claim 7: Claim 7 recites a computer implemented consistency recovery method that includes the steps of establishing a write counter value for a primary page and a write counter value for an associated mirror page wherein a write counter value represents whether changes have occurred to a page, comparing the write counter value of the primary page to the write counter value of the associated mirror page and resolving a genlock status. This set of steps are not taught by Beizer et al.

Claim 15: Claim 15 recites a data consistency maintenance and recovery computer system that includes a database that stores data on a computer readable medium with the data arranged on a primary page and associated mirror page. The primary page includes a first write counter value and the mirror page includes a second write counter value where the write counter value represents whether changes have occurred to the page. A locking system creates and

Art Unit: 2165

manages a lock associated with the primary and mirror pages. This set of features is not taught by Beizer et al.

Claim 18: Claim 18 recites a data consistency maintenance and recovery computer system that includes a database that stores data on a computer readable medium with the data arranged on a primary page and associate mirror page and a locking system that creates and manages a lock associated with the primary page and mirror page to determine whether a write operation or read operation should be permitted where the lock is the lowest order bit of a write counter value. This set of features is not taught by Beizer et al.

Accordingly, independent claims 1, 7, 15 and 18 are allowed. Dependent claims 2-6, 8-14, 17, 19 and 20 are allowed due to their dependency one of the respective independent claims.